

# YOUR TOWN HALL

The February 1<sup>st</sup> workshop meeting was very unusual from almost all others because so many people came. This is not unusual in itself, however, the decision to relocate the meeting to the courtroom was. At previous overcrowded meetings, people were forced to stand in the hallway, even after requests to move to the courtroom.

After a slight delay to move and set-up, the Committee started by voting on five resolutions. Usually resolutions are voted in a consensus block. Tonight however, each resolution had a separate vote. They all passed with an affirmative vote but Resolution 10-75 regarding abolishing COAH raised comments for Committeemen Byrnes, Fiore and Scharfenberger.

Mr. Byrnes said that he supported the COAH legislation introduced by Senator Ray Lesniak. He also said that he would like to meet with the town planner, Jason Greenspan and revisit some of the zoning changes from last year.

Mr. Fiore emphatically supported Senator Ray Lesniak's bill and for crossing the aisle. He also agreed with Mr. Byrnes in changing the zoning.

Mayor Scharfenberger echoed what had been said and would like to enlist public help in fighting COAH by notifying their state representatives to have them support this bill.

Below are copies of the resolutions, as they appeared on the township website before the meeting.

## **Resolution No. 10-73**

### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MIDDLETOWN, COUNTY OF MONMOUTH STATE OF NEW JERSEY REJECTING ALL BIDS RECEIVED FOR DASHER BOARDS AT KUNKEL ROLLER HOCKEY RINK CONTRACT 09-06**

**WHEREAS**, the Township of Middletown authorized the receipt of bids for Dasher Boards at Kunkel Roller Hockey Rink; and

**WHEREAS**, bids were received on December 15, 2009 and were rejected; and

**WHEREAS**, bids were received on January 26, 2010 and were rejected; and

**WHEREAS**, said bids were reviewed by Robert R. Keady, Jr., Consulting Engineer and the Purchasing Agent for the Township of Middletown and it has

been determined that all bids received failed to be within the cost estimates of the Township; and **WHEREAS**, it is the desire of the Township Committee to reject all bids and to authorize negotiations by Robert R. Keady, Jr., Consulting Engineer and Gregg Silva, Director of Parks & Recreations for an acceptable price for the Dasher Boards at Kunkel Roller Hockey Rink and **NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey as follows:

1. That the Township Committee does hereby reject all bids received for the Dasher Boards at Kunkel Roller Hockey Rink for the Township of Middletown for the reasons set forth in this resolution.

2. That the Township Committee does hereby authorize negotiations by the Consulting Engineer and the Director of Parks & Recreation for an acceptable price for Dasher Boards at Kunkel Roller Hockey Rink.

3. That a certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

A) Purchasing Agent

B) Comptroller

C) Robert R. Keady, Jr., Consulting Engineer

D) Gregg Silva, Director of Parks & Recreation

D) All rejected bidders as follows:

1. Gavan General Contracting Inc.

1500 N. Apple Street  
Lakewood, N.J. 08701

2. Whirl Construction

P.O. Box 110  
Pt. Monmouth, N.J. 07758

3. Sub-Level Installations Inc.

P.O. Box 698  
Mt. Laurel, N.J. 08054

3. Berto Construction Inc.

625 Leesville Avenue  
Rahway, N.J. 07065

4. AMC Industries, LLC

P.O. Box 760  
Holmdel, N.J. 07733

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Committee Member	Approved	Opposed	Abstain	Absent
P. Brightbill				
S. Byrnes				
A. Fiore				
S. Massell				
Mayor Scharfenberger				

## CERTIFICATION

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held January 21, 2010.

WITNESS, my hand and the seal of the Township of Middletown this 21st day of January, 2010.

HEIDI R. BRUNT, TOWNSHIP CLERK

## Resolution No. 10-74

### RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR:

#### 2009 PARK IMPROVEMENTS

#### CONTRACT 10-01

**WHEREAS**, bids were received on January 26, 2010.

**WHEREAS**, eleven (11) bids were picked up by vendors, and five (5) Responsive Bids were received as follows:

<u>VENDOR</u>	<u>AMOUNT</u>
1. PRECISE CONSTRUCTION INC. 1016 HIGHWAY 33 FREEHOLD, N.J. 07728	\$403,050.00
2. HALECON INC. 136 BILLIAN STREET BRIDGEWATER, N.J. 08807	\$418,815.00
3. DeFINO CONTRACTING CO. 28 INDUSTRIAL DRIVE CLIFFWOOD BEACH, N.J. 07735	\$ 423,551.00
4. AMC INDUSTRIES LLC P.O. BOX 760 HOLMDEL, N.J. 07733	\$513,946.82

5. B & B CONSTRUCTION LLC \$542,245.00  
175 RAMTOWN GREENVILLE ROAD  
HOWELL, N.J. 07731

Bids were advertised as per N.J. State Statutes and affidavit of publication is on file in the Office of the Township Clerk.

### **PRECISE CONSTRUCTION CO., 1016 HIGHWAY 33, FREEHOLD, N.J.**

**07728**, shall Furnish and Deliver the following as per Bid Proposal & Specifications & Covenants thereof dated **January 26, 2010**, said bidder being the Lowest Responsible Bidder.

### **DESCRIPTION**

### **VENDOR**

2009 PARK IMPROVEMENTS CONTRACT # 10-01  
PRECISE CONSTRUCTION CO.  
1016 HIGHWAY 33  
FREEHOLD, N.J. 07728

**WHEREAS**, bids have been reviewed by the Purchasing Agent and Robert Keady, Consulting Engineer from T&M Associates and it is their recommendation that the contract be awarded to

### **PRECISE CONSTRUCTION CO., 1016**

**HIGHWAY 33, FREEHOLD, N.J. 07728**, in the amount of: \$ 403,050.00.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey as follows:

1. It hereby awards the contract for "2009 Park Improvements to Precise Construction Co., 1016 Highway 33, Freehold, N.J. 07728 for a total of: \$ 403,050.00.

**BE IT FURTHER RESOLVED**, this contract is awarded pursuant to a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.5 et seq.

**WHEREAS**, the Administrator of the Township of Middletown has certified that adequate funds for such contract are available, and are designated to line item appropriation of the official budget no. **C-04-55-909-986**. A copy of the said certification is attached hereto and made a part hereof and the funds to be expended herein are assigned to line item no **002**. A copy of the within resolution and certification shall be certified by the Township Clerk. The Township Attorney is satisfied that the certification of availability of funds has been provided and a copy of the within resolution shall be

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made a part of the file concerning said resolution and appointment.

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- A) Purchasing Agent
- B) Comptroller
- C) Robert Keady, T&M Associates
- D) Gregg Silva, Director of Parks & Recreation
- E) All of the above bidders

## **CERTIFICATION**

I, HEIDI BRUNT, TOWNSHIP CLERK OF THE TOWNSHIP OF MIDDLETOWN HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE AT THEIR MEETING HELD ON \_\_\_\_\_ 2010.

WITNESS MY HAND AND SEAL OF THE TOWNSHIP CLERK OF MIDDLETOWN THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2010 .

\_\_\_\_\_  
HEIDI BRUNT  
TOWNSHIP CLERK

## **RESOLUTION NO. 10-75**

### **TOWNSHIP OF MIDDLETOWN COUNTY OF MONMOUTH RESOLUTION SUPPORTING SENATE**

#### **BILL NO. 1 ABOLISHING COAH**

**WHEREAS**, the regulations imposed upon the Township of Middletown ("the Township") by the New Jersey Council on Affordable Housing ("COAH") are one of the most costly unfunded mandates imposed upon the Township, resulting not only in an increasing tax burden, but also poor land use planning that advocates overly dense development at the expense of the environment; and

**WHEREAS**, Senate Bill No. 1 would abolish COAH, placing its remaining responsibilities under the Fair Housing Act within the jurisdiction of the State Planning Commission while allowing municipalities to administer their own affordable housing obligations; and

need required under COAH's revised third round rules, permitting local governments to take charge of their own planning for affordable housing with assistance from the State Planning Commission; and **WHEREAS**, Senate Bill No. 1 would permit the commencement of Regional Contribution Agreements ("RCAs") entered into prior to the July 17, 2008 adoption of P.L. 2008, c.46 (otherwise known as A500); and

**WHEREAS**, Senate Bill No. 1 would provide greater flexibility and additional financing options for the development of more sensible affordable housing.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the Legislature immediately pass Senate Bill No. 1 and that it be signed by Governor Chris Christie to help streamline the Township's ability to reasonably assess and meet its mandated affordable housing obligations in a more logical and efficient manner based on the best available data at the local level and in conformance with smart growth and planning principles.

**BE IT FUTHER RESOLVED** that a copy of this Resolution be submitted by the Township Clerk with the Office of Governor Chris Christie and the Thirteenth District Legislators representing the Township of Middletown: Senator Joe Kyrillos, Assemblywoman Amy Handlin and Assemblyman Sam Thompson.

Committee Member	Approved	Opposed	Abstain	Absent
P. Brightbill				
S. Byrnes				
A. Fiore				
S. Massell				
Mayor Scharfenberger				

## **CERTIFICATION**

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held February 1, 2010.

WITNESS, my hand and the seal of the Township of Middletown this 1st day of February, 2010.

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HEIDI R. BRUNT  
TOWNSHIP CLERK

## **RESOLUTION No. 10-76**

### **RESOLUTION AUTHORIZING A TRANSFER OF 2009 APPROPRIATION RESERVES**

**WHEREAS**, NJSA 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the closing of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances to appropriation reserve line items which are expected to be insufficient during the first three months of the succeeding year.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown, County of Monmouth, State of New Jersey, that the Township Acting Chief Financial Officer or Township Administrator be and is hereby authorized to make the following Appropriation Reserve transfers on her records:

	CURRENT FUND	FROM	TO
Account Number			
9-01-23-210-100-200	Insurance Claims	\$4,528.74	
9-01-23-225-100-225	Insurance Unemployment	23,128.61	
9-01-23-220-100-200	Insurance O&E		\$27,657.35
		\$27,657.35	\$27,657.35

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Acting Chief Financial Officer
- b) Township Auditor

Committee Member	Approved	Opposed	Abstain	Absent
P. Brightbill				
S. Byrnes				
A. Fiore				
S. Massell				
Mayor Scharfenberger				

### **CERTIFICATION**

I, Heidi R. Brunt, Clerk of the Township of Middletown hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their public organization meeting held on February 1, 2010.

**WITNESS**, my hand and the seal of the Township of Middletown this 1st day of February, 2010.

HEIDI R. BRUNT, Township Clerk

### **RESOLUTION NO. 10-77**

### **TOWNSHIP OF MIDDLETOWN COUNTY OF MONMOUTH RESOLUTION AUTHORIZING ADJUSTMENT TO TAX BILLS FOR FIRST TWO QUARTERS OF 2010 APPLICABLE TO THE 2009 TAX YEAR FOR LOTS WITHIN THE MIDDLETOWN CROSSING SUBDIVISION AS A CORRECTION (Block 517, Lots 3, 4, 5, 6, 7 and 8)**

**WHEREAS**, sometime in 2008, there was a condo deed filed with the Township in relation to the Middletown Crossing subdivision which was approved in 2006; and

**WHEREAS**, in reliance upon this filing, a planning memorandum and other inquiries regarding building permits, the Tax Assessor filed 24 lots with 23 taxable line items in the 2009 tax book; and  
**WHEREAS**, no tax appeal was filed for the 2009 tax year as such 2009 tax book filing was likely unbeknownst to the common owner-developer at the time; and

**WHEREAS**, it was not until August 7, 2009, that a master deed was filed for the Middletown Crossing subdivision, consisting of what will eventually be 24 individual lots with 21 total dwelling units, including 2 COAH units, including commons areas,

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for a total of 23 taxable lots within the subdivision; and

**WHEREAS**, upon eventual receipt of numerous tax bills by the developer, it was brought to the Township's attention that the subdivision is far from complete, with there being only 6 taxable lots for the 2009 tax year; and

**WHEREAS**, on October 16, 2009, a meeting was held between the developer, developer's counsel, the Tax Assessor and Township Attorney resulting in a determination that the most efficient way to correct this matter is to provide for an adjustment in the 2009 tax bills sent in the first two quarters of 2010, with corrections in the tax book for the 2010 tax year having already been made by the Tax Assessor.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey hereby authorizes the Tax Collector, in conjunction and consultation with the Tax Assessor, to make appropriate adjustments to the 2009 tax bills billed during the first two quarters of 2010 for the currently taxable lots within the Middletown Crossing subdivision to compensate for the premature assessment of all future taxable lots in the subdivision during the 2009 tax year.

Committee Member	Approved	Opposed	Abstain	Absent
P. Brightbill				
S. Byrnes				
A. Fiore				
S. Massell				
Mayor Scharfenberger				

## CERTIFICATION

I, Heidi R. Brunt, Clerk of the Township of Middletown hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their public organization meeting held on February 1, 2010.

**WITNESS**, my hand and the seal of the Township of Middletown this 1st day of February, 2010.

HEIDI R. BRUNT, Township Clerk

The agenda for the February 16 Committee meeting was reviewed and the discussion portion of the meeting ensued. Discussion items are usually introduced as resolutions or ordinances at the next meeting. Items on the agenda for discussion were:

- a. Gate Cottage at Navesink Bond Reduction
- b. Release of J&J Morris Maintenance Guarantee
- c. Various Zoning Amendments
- d. Kennel Zoning Amendments
- e. Amendment to Code-Fire Department
- f. Purchasing Items:
  - i. Nursing Services-Health Department
  - ii. Off Site Catered Events
  - iii. Uniforms-DPW
  - iv. CPO Services-Pool
  - v. School Bus Services-Park Events
  - vi. Charter Bus Services-Park Events
  - vii. Network Virtualization
  - viii. 15 Passenger Van – Police Department

There were no Committee comments for items a, b, f(ii), f(iii thru viii). Item c, Various Zoning Amendments, brought the town planner, Jason Greenspan, to explain some of the thoughts of the Planning Board. Some of the proposed zoning changes were reducing the lot sizes with regards to residential lots and cluster regulations. He also spoke of how there is no real definition of what a retaining walls is. He said that there are retaining walls built in township right of ways and are degrading due to lumber rot. Another issue facing the town is building heights. Jason said that small lots up to 100' in width would be zoned for 28' height instead of 35'. For lots above 100' wide a standard of 35' to the ridge line would be set.

Item d, Kennel Zoning Amendments, brought comments from Mrs. Brightbill. She commented that something should be defined to prevent something like a horse farm from becoming a kennel. The township attorney said that the ordinance would contain mostly state statute but there were things that could be inserted to limit certain zones from becoming kennels.

The Administrator Tony Mercantante commented on item e, Amendment to Code – Fire Department. He sent a recommendation in



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December to require emergency services departments to submit a copy of their audit.

## TOWNSHIP COMMITTEE COMMENTS

Committeeman Sean Byrnes commented on how the town is now one month into 2010 and the Committee agrees that we are in the worst budget year for the municipality. He said that we have about a \$5M shortfall and a finance committee would help address these concerns.

Mr. Byrnes said that with each passing month the town loses the opportunity to put in place plans that might achieve savings in 2010. The town needs to start engaging in the process of saving because it is going to take dramatic action to obtain savings.

Mr. Byrnes is looking to the Administrator to report savings for leaf collection by using more contractors. He also stated his belief that there should be a marriage between the Arts Center and the Library because the Library's funding sources are much stronger and they could use the Arts Center to produce additional revenue through something like a day care center. It is right next to the train station and it would make it very convenient for commuters.

Mr. Byrnes stated that the township should have some sort of summit with the Board of Education to consider additional services that could be shared. He said that they have a lot of similar things that the town does and that they should do them together.

He said that the town needs to take a hard line on contract negotiations and that we should look to contract the running of the swim club. Fee based recreation programs might appear to be self-supporting, but there are employee benefits, salaries and pensions that are not included in those fees. The Parks & Rec. Dept. has a salary budget of \$2M and a hard look at that needs to be done to streamline it. He feels that these concerns can be addressed if they all put their heads together and work at it.

Committeeman Massell was thrilled with the abolishment of COAH and that was what he campaigned on. He said that there was a Lions Club pancake breakfast on Sunday at the VFW. He agreed with Mr. Byrnes about putting their heads together

and that he did not think a finance committee would be beneficial to Middletown and just add another layer of government.

Committeewoman Brightbill commented that the zoning changes will be good for the town and that serving on the Planning Board has helped her see how issues are formed that don't come from the Administrator. She said that she enjoys hearing from the residents and the issues that affect them. The money from the pancake breakfast is going to the troops, she believes. This is the 4<sup>th</sup> or 5<sup>th</sup> year that it is being held on Super Bowl Sunday and that she has been helping for the past couple of years by cooking and serving the breakfasts.

Deputy Mayor Fiore said that at each meeting he speaks about different aspects of the budget. Last meeting he spoke about trash collection and found that the town could not do better than what is being done right now. He listens to all of the Committee member's and department heads suggestions and is opposed to a finance committee. He agrees with Mr. Massell that it would be another level of bureaucracy. He fears that the finance committee will not produce the results that would be expected like saving taxpayers money.

Mr. Fiore went on to state that he could not understand how going to one day per week garbage collection would save the taxpayer money. He feels that the part of the town that has private garbage collection and pays to have two day per week collection would be subsidizing the part of town that is in the garbage district. He does not think that it is fair to pay for two-day collection and only have garbage collected once a week.

He took exception to the fact that some say that the town does not have a budget plan. He said that we do work with the Administrator and that they are handicapped without a CFO right now. (The previous CFO left around June 2009). He said that there is an ordinance up for vote that redefines the responsibilities of the CFO to broaden the talent pool and hire a CFO. The CFO will be in a better position to look at the budget in more detail. He does not feel that a finance committee will solve the town's problems because the strategic planning committee hasn't.

Mr. Fiore expressed his displeasure in the last minute appointments made by the outgoing

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governor. He also said that there are some real savings that can be had with green technologies.

Mayor Scharfenberger began by saying that they do have a plan. He said that they have cut the staff of the town by 15-16%. He said that the budget is a 24/7 process and it is frustrating being bound by certain regulations and hopefully things will change. He said that he has sat down with the BOE, but the problem is that you need both sides to want to do something. He said that the Committee is willing, but they need some cooperation. They have explored this in the past.

Mr. Scharfenberger said that one of the things that is hurting us now is that people say that we should cut spending. He said that the town cut spending last year by close to \$2M. The interest rate on money that the town holds in the bank is not bringing in the revenue that it once did and it is hurting the town. He said that it is very complicated but they are going to do their best to fight real hard for the township.

The Mayor went on to say that recycling revenue is down, especially in newspaper collections. The town is looking at ways to increase revenue through recycling and the town will be hearing about it in the coming months. This will take the pressure off the property tax and provide the needed services of the town.

The Mayor mentioned that he attended a Haiti fundraiser at Kings Row retirement home on Rt. 35 and it was really something special to see the seniors come out and raise funds for the tragedy in Haiti.

## **PUBLIC COMMENTS**

Eugene German spoke on the proposed football field on West Front St. He said that this field was #8 on a list of 12 sites designated for the field to be located and wanted to know why this site was selected over the other 7. The Mayor explained that they couldn't do it on BOE property. He said that the Master Plan encompasses the whole town and the Pop Warner league that needs the field has to play in a certain area. Mr. German replied that this ordinance compares to the outgoing Governor's push through of last minute appointments. There was no

response from the Mayor or the other Committee members.

Sarah Hammond commented that the turf fields would make the park a sports complex with lights, a P.A. system and intense use. She said that she would get no rest in her home. The Administrator said that the upper field will be a practice field and the main field will be out by W. Front St. He said that the final plans would be ready in about two weeks. There was no response from the Mayor or the other Committee members.

Jim Grenafegé commented that Mr. Fiore's comparing of the finance committee to the strategic planning committee was just a red herring. He said that he does not see a budget plan, only a lot of talk. Three years ago Mr. Grenafegé said he mentioned that the Arts Center and Library should be merged. Another point that he raised was that there is 70 years of compensatory benefits due the employees of the town and that the town should be capping sick and vacation time instead of paying it out at the rate which the employee is making at the time of retirement. There was no response from the Mayor or the other Committee members.

Mary Mahoney spoke about the accidents that currently occur at the intersection of W. Front St. and Everett Rd. and with the increase in vehicles due to the turf fields there will likely be many more. She said that this park is not a good location for a football field. She went on to say that there is no transparency in putting this field in. The Master Plan is about shared facilities. Committeeman Fiore said that the Township wanted to work with the BOE, but they did not want to. Ms. Mahoney said that she spoke to the BOE and they were not comfortable with the lack of response to questions that they had asked. The attorney, Brian Nelson, responded to say that every time that they wanted to discuss something their lawyer sent letters to his office and that the BOE "lawyered up" and they did not want to communicate quite clearly. They would only communicate through their lawyer. Ms. Mahoney said that the two bodies should be working together and that if they can't, a location should not be selected that will also cause disruption.

Patty Dominack came to say that she was a member of the Presbyterian Church by the field and that they have no A/C in the building. She said that

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they hold service with the windows open when the weather is good and that the noise generated by the football games will disturb the service. Ms. Dominack said that there could be no debate if they are not notified of what is going on. Committeeman Byrnes said that the procedure in notification might have to be redone. He did say that there were meetings held during the selection process for this site.

Peter Simpson said he talked to the Mayor about two weeks ago and will look forward to meeting with the administrator, but that has not happened yet. He read from Middletown Matters, which was the first indication that the fields were to be built. It stated that along with the fields, other ancillary facilities comparable to that which are at Croydon Hall would also be built. The current noise at the park has boundaries because there are no lights or P.A. system. He would like to see the turf fields, but does not want a sports complex.

John Thompson, from Conifer Village, said that if the town wanted to save some money they could stop work on the ball fields by his apartment building because the building is full of seniors and they will not be using the fields. He asked about the trail up to the shopping center and when it was going to be built. Mr. Thompson said that the residents do not want to walk along Rt. 36 to get to shopping and transportation. The Administrator said that there would be sidewalks constructed along Rt. 36 and that the trail will be pretty steep for seniors to navigate. The trail might be built with steps to accommodate them. There was no response from the Mayor or the other Committee members.

Jeff Blumengold stated that he turns around troubled companies and that there was a huge difference between a finance committee and a strategic planning committee. He said that a turnaround will tell you what to do, but you might not like it. He went on to say that if the turf field project was not resolved between the township and the BOE, he might go on a campaign to stop paying taxes. Mr. Blumengold does not accept this "lawyered up" routine and he is grateful to hear Mr. Byrnes say that perhaps public notice should be given. W.Front St. is a very busy street and it would be dangerous to put football fields at this park. Mr. Blumengold volunteered to put a group together to

look at the budget. There was no response from the Mayor or the other Committee members.

Stanley Gelfman said that W. Front St. is currently noisy and has a lot of traffic. He could not believe that the BOE will not play with the Township. There was no response from the Mayor or the other Committee members.

Marguerite Portagallo spoke next to say that they began building their house in October on Teller Ct. and now they find out that it will be pretty much in the football field. She wanted to know what would become of Charger field. The Administrator said that it would remain as baseball fields. She wanted to know why the field couldn't be built at Nut Swamp School. The Mayor said that there were too many environmental constraints there making it cost prohibitive and that is why they wanted to put the field at Thompson and Thorne. Ms. Portagallo quoted the Mayor as saying once that input from the community is key to the decision making process and will ultimately guide the decision of potential use of any particular tract of land. She wanted to know why they were not included in this decision. The Mayor responded to say that the fields currently exist and the town is just making improvements to them.

Judy Schanz said that the current noise at the park is tolerable. She wanted to know if a traffic study was done and was told that it was not done because it was not required. Ms. Schanz said that this will have a negative impact on their property values and wanted to know what the residents could do to attack the BOE. The Mayor stated that they should go to the BOE meetings and let them know how the residents feel.

Jim Shelton of Holmdel spoke for the residents in his neighborhood at Country View Estates. He said that they live on the other side of Everett Rd. and that he had 34 signatures from neighbors on a petition opposing the fields. He was hoping that the plans for the park could be posted on the township web site. He read the petition to the Committee and asked them to act on stopping the installation. There was no response from the Mayor or the other Committee members.

John Fitzgerald wanted to know who is paying for the turf fields. The Mayor said that the town was appropriated for this. Mr. Fitzgerald



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suggested that it be appropriated for something else. He said that he received the H1N1 email from the town today and that they should post notifications on the web site about what is coming up.

Donna Kuntz came up to address the flooding problem on her property due to storm drains going through her property. She said that the town should be using its' money to fix infrastructure problems instead of building turf fields. She asked for a status update on her property. The Administrator said that although storm water does not rank high on the funding list, he is looking at other funding from previous Leonardo drainage projects. He will know by the next meeting if the town has to apply for this funding and be able to move forward with this project. Ms. Kuntz said that there were additional issues that needed to be resolved, but there is no contact by the town. The Township Attorney, Brian Nelson said that the township has spent an extraordinary amount of time trying to resolve this. The town has done all it possibly can do with the resources available. Ms. Kuntz said that she would like DPW to inspect her yard after a rain instead of waiting for her to call them.

Don Watson spoke about the attendance at the meeting and how it was just another reason to broadcast the meetings on the township public access channel. He commented that cell phone usage in autos should be enforced better. He said that there is still a problem downloading resolutions from the town website. Mr. Watson asked if the town was still looking for a buyer for the Swim Club because there was talk this evening about the fee structures. The Mayor stated that they are exploring everything. Mr. Watson mentioned a construction site on Rt. 36 and Church St. in Belford and how they are building 3-story buildings there and that he was surprised that the Planning Board approved this. He asked how much the town would save with the elimination of the unfounded mandates imposed by the state. No figure could be stated, but the Mayor said that it was several million. Mr. Watson asked when a replacement to the check valve on Wilson Ave was going to be replaced. DPW chief, Ted Maloney, stated that the schedule called for work to be done is about 80% done. Mr. Maloney said that they are

going to go by the plan and will begin work when the plan is complete.

John Rabalia came up to say that he found out about the turf field construction when some people came on his property to tag some trees. They told him that construction would begin in April. There was no response from the Mayor or the other Committee members.

John Sabatos expressed concern about the cost of the construction. The Mayor said that the town had bonded for this project. Mr. Sabatos wanted to know if the bonded money could be used for something else. He also wanted to know if the fields could be built somewhere else. The Mayor said that the Pop Warner rules only allow the Chargers to play in a designated area in relation to the region from where they are from.

Melanie Elmiger approached the Committee with a copy of the Request for Proposal (RFP) dated August 19, 2009. She said the RFP stated that the practice field was out by W. Front St. and the playing field was in the upper portion of the park. The Administrator said that that has been changed. She pointed out that there was a lag in timing between the RFP and the article that appeared in the December Middletown Matters and that there was plenty of time to notify the residents of the project. Ms. Elmiger was worried about use creep at the park and also wanted to know how the Chargers were going to benefit from the use of the concession stand. She wanted to know if the township was going to be collecting a portion of the profits from this use because they generate a lot of revenue from this source at the current park. Committeewoman Brightbill said that who ever is using the field and concession stand will benefit from its use.

Jody Molisani wanted the Committee to come and stand in her neighbor's driveway to observe the view of the park and how close these fields will be to her home. She said that she had recently installed a swimming pool and that this turf field will draw youth to the park. Ms. Molisani said that some youth generally are drawn to wooded areas, like by her property. She wanted to know what she should do when this happens. She stated that she was appalled and felt betrayed by the Committee by the lack of communication with this project in relation to how the town has treated her as

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a 9-11 widow. There was no response from the Mayor or the other Committee members.

Allan Grey came to find out how they could stop the construction of the turf fields because they don't want it. The Mayor said that everything that was said that night was very valuable and that it would not be ignored and everyone would be kept informed every step of the way. The Mayor suggested that everyone submit their email address so that they can stay in contact. Mr. Grey requested an answer now and that saying that the BOE "lawyer up" is not a good answer. The Mayor responded to say that it was an accurate answer. Mr. Grey said that the town should get another lawyer. Committeeman Fiore said that the town started this process last year and that they needed to find some space in the area for the Chargers.

Dana Rabalia said that she could not let her children ride a bike because of the current traffic and that it will only get worse with the added traffic in her neighborhood. She also said that she was not given any notice that the engineers would be on her property. There was no response from the Mayor or the other Committee members.

Joe Morena said that the Chargers consist of 4 levels of football teams and 2 cheering squads. There are about 30 children on each team, which amounts to about 120 children. When the teams that they are playing are figured in it means that there will be an additional 300 cars in the area. There definitely needs a traffic study done with the volume of cars expected. There was no response from the Mayor or the other Committee members.

Phil Tellman came up to say the impact of the fields on the church was unfathomable. He said that a traffic study needs to be done. He said that the church had problems getting approvals for construction. There are a lot of unforeseen things that have not been looked at. There was no response from the Mayor or the other Committee members.

Barbara Thorpe spoke about how the town continues to ignore the historical facts of the will of the people. She said that a sports complex was proposed on Sunnyside Farm many years ago and today it is the equestrian center. A few years ago the Committee proposed a sports complex across from Molzon's nursery and the people were totally against putting that in the middle of a residential area. She

said that the funds to build this are indebtedness from 2006. She said that nobody wants this in a neighborhood and that the town repeatedly ignores the will of the people. There was no response from the Mayor or the other Committee members.

And with that said the meeting was adjourned.